

**AMENDMENTS TO THE CLAIMS**

*This listing of claims will replace all prior versions and listings of claims in the application.*

**LISTING OF CLAIMS**

1. (Currently Amended) An opening-closing device comprising:  
~~an a driving source;~~  
an opening-closing mechanism for opening and closing an opening-closing member provided at a vehicle body by operation of the driving source;  
a clutch positioned between the driving source and the opening-closing mechanism; ~~and sifting an energization state can transmit a driving force of the driving source to the opening-closing mechanism and a non-energization state can not transmit the drive force,~~  
the clutch being shiftable between an energization state in which the clutch transmits a driving force of the driving source to the opening-closing mechanism and a non-energization state in which the clutch is unable to transmit the driving force of the driving source to the opening-closing mechanism;  
the clutch includes a drive portion and a driven portion; wherein  
the drive portion and the driven portion contact each other by a first load which ~~can is able to~~ transmit the driving force from the driving source to the opening-closing mechanism when the clutch is in the energization state; and wherein  
the drive portion and the driven portion contact each other by a second load which ~~can not transmits the driving force from the driving source to opening-closing mechanism permits operation of the opening-closing mechanism to open and close~~

the opening-closing member without the driving force of the driving source when the clutch is in the non-energization state, and the drive portion is pushed to contact the driven portion by an elastic member when the clutch is in the non-energization state.

2. (Currently Amended) The opening-closing device according to Claim 1, further comprising wherein:

~~an the elastic member for biasing the driven portion to contact the drive portion is a wave washer.~~

3. (New) The opening-closing device according to Claim 1, wherein:

the elastic member is a resin foam member.

4. (New) The opening-closing device according to Claim 1, wherein the drive portion is an armature and the driven portion is a rotor, the elastic member being portioned so that the armature is positioned between the elastic member and the rotor.

5. (New) The opening-closing device according to Claim 1, wherein the drive portion is positioned between the elastic member and the driven portion.

6. (New) The opening-closing device according to Claim 1, wherein the clutch includes a worm wheel, the elastic member being positioned between the worm wheel and the drive portion.

7. (New) An opening-closing device comprising:
  - a driving source;
  - an opening-closing mechanism for opening and closing an opening-closing member provided at a vehicle body by operation of the driving source;
  - a clutch positioned between the driving source and the opening-closing mechanism;
    - the clutch being shiftable between an energization state in which the clutch transmits a driving force of the driving source to the opening-closing mechanism to open and close the opening-closing member under the driving force of the driving source and a non-energization state in which the clutch does not transmit the driving force of the driving source to the opening-closing mechanism to permit the open-close member to be manually opened and closed;
    - the clutch including a drive portion connected to the driving source, a driven portion connected to the opening-closing mechanism, and an elastic member;
      - the drive portion and the driven portion being urged into contact with one another with a first load during the energization state of the clutch to transmit the driving force of the driving source to the opening-closing mechanism through the drive portion and the driven portion to open and close the open-close member under the driving force of the driving source;
      - the elastic member being positioned to apply an axial force pushing the drive portion and the driven portion into contact with one another under a second load in which the driven portion and the drive portion are relatively slidable during the non-energization state of the clutch to permit the open-close member to be manually opened and closed.

8. (New) The opening-closing device according to Claim 7, wherein the elastic member is a wave washer.

9. (New) The opening-closing device according to Claim 7, wherein the elastic member is a resin foam member.

10. (New) The opening-closing device according to Claim 7, wherein the drive portion is an armature and the driven portion is a rotor, the elastic member being portioned so that the armature is positioned between the elastic member and the rotor.

11 (New) The opening-closing device according to Claim 7, wherein the drive portion is positioned between the elastic member and the driven portion.

12. (New) The opening-closing device according to Claim 7, wherein the clutch includes a worm wheel, the elastic member being positioned between the worm wheel and the drive portion.